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Security Council

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General Assembly
Fifty-eighth session
Agenda item 70
Establishment of a nuclear-weapon-free zone in the region of the Middle East

Security Council
Fifty-eighth year

Note verbale dated 31 December 2003 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and to the President of the Security Council

The Permanent Representative of the Syrian Arab Republic to the United Nations presents his compliments to the Secretary-General and the President of the Security Council, and with reference to the consultations of the Council on the draft resolution introduced by the Syrian Arab Republic, on behalf of the Arab Group, related to the establishment in the Middle East of a zone free of all weapons of mass destruction, particularly nuclear weapons, would like to convey to you the decision of his Government to keep the draft resolution, issued in blue as document S/2003/1208 dated 29 December 2003 (see annex), in the agenda of the Council until more mature and suitable circumstances are created for its adoption. This decision reflects the vital importance of freeing the Middle East from all weapons of mass destruction, and of keeping the issue under consideration by the Council, in the interest of maintaining peace and security in the region and ensuring the prosperity of its peoples.

The Permanent Representative of the Syrian Arab Republic to the United Nations requests that the present note be circulated as a document of the fifty-eighth session of the General Assembly, under agenda item 70, and of the Security Council.

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Annex to the note verbale dated 31 December 2003 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and to the President of the Security Council

Syrian Arab Republic: draft resolution

The Security Council,

Considering its primary responsibility under the Charter for maintaining international peace and security and its conviction that the maintenance of international peace and security requires the non-proliferation of weapons of mass destruction, in particular nuclear weapons,

Welcoming all initiatives aimed at general and complete disarmament, including the achievement of that objective in the region of the Middle East, especially with a view to the establishment in that region of a zone free of weapons of mass destruction, in particular nuclear weapons,

Recalling the Iranian initiative of 1974, the Egyptian initiative of 1985 and the Syrian initiative of 1989, aiming at the establishment of a nuclear-weapons free zone in the Middle East,

Recalling also the universality of the Treaty on the Non-Proliferation of Nuclear Weapons, dated 1 July 1968,

Aware of the threat to peace and security in the region posed by all weapons of mass destruction and of the need to establish a zone free of such weapons in the Middle East,

Aware also of the objective of balanced and comprehensive monitoring of nuclear weapons in the region in accordance with the full-scope safeguards for such monitoring,

Invoking the resolutions of the conference on the Middle East held in 1995 and 2000 by the States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, which call upon all the States of the region to declare their support for the establishment in the Middle East of a zone free of nuclear weapons and all other weapons of mass destruction and the veritable destruction of such weapons,

Considering its resolution 1373 (2001) on combating terrorism, which calls upon all States to counter the threat posed by the possession of weapons of mass destruction by terrorist groups,

Reaffirming the inalienable right of all States to acquire and develop nuclear energy for peaceful purposes,

Recalling the final document of the tenth special session of the General Assembly devoted to disarmament, held in 1978, and other General Assembly resolutions, the most recent of which is its resolution 58/34 of 8 December 2003 concerning the establishment of a zone free of weapons of mass destruction in the region of the Middle East,

1. *Emphasizes* the role of the Security Council in adopting a global approach to countering the spread of all weapons of mass destruction in the countries of the Middle East without exception;

2. *Urges* the implementation of its relevant resolutions, in particular resolution 487 (1981) and resolution 687 (1991), which are aimed at freeing the Middle East region of all weapons of mass destruction, in particular nuclear weapons;

3. *Calls upon* States of the Middle East, as non-nuclear-weapon States, to accede to the Treaty on the Non-Proliferation of Nuclear Weapons of 1 July 1968; the Comprehensive Test Ban Treaty (CTBT); the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (PWC); and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (CWC);

4. *Determines* to prevent the threat posed by the possession of weapons of mass destruction by terrorist groups;

5. *Requests* the Secretary-General to submit in a report within one month from the date of this resolution on the implementation of its provisions;

6. *Decides* to remain seized of the matter.

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General Assembly
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General Assembly
Fifty-eighth session
Agenda item 37
The situation in the Middle East

Security Council
Fifty-eighth year

Letter dated 31 December 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government, I transmit to you hereafter a list of persistent Israeli violations and acts of aggression against Lebanon committed from 12 to 22 December 2003.

Violations of airspace

Between 2302 and 1910 hours between 13 and 14 December 2003 an Israeli reconnaissance aircraft flew east over the sea off Sidon at a distance of 10 miles from the coast and circled over the areas between Majdal Anjar, Anjar, Rashia and Dahr al-Baydar. It then proceeded in a northerly direction towards the sea off Sidon at a distance of 10 miles from the coast, where it circled over the area between Sidon and Damur at an altitude of 10 miles above the sea, before proceeding towards the Shouf and the Bekaa. It circled over the area between Jubb Jannin and Anjar and returned to the Shouf and Sidon, thereby violating Lebanese airspace.

Between 1050 and 1125 hours on 14 December 2003 an Israeli reconnaissance aircraft overflew the occupied Shab'a farms. Between 1210 and 1238 hours, it circled over the sea off Na'imah in the direction of Beirut at a distance of 10 miles from the coast, thereby violating Lebanese airspace.

Between 1030 and 1040 hours on the same date an Israeli warplane flew over the Naqurah area at high altitude. Between 1915 and 1930 hours an Israeli reconnaissance aircraft flew over the area of Tyre.

Acts of aggression in the field

At 2325 hours on 14 December 2003 Israeli enemy forces strafed the area around their position at Fashkul farm, inside the occupied Shab'a farmlands, with medium weapons fire.

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At 0945 hours on 15 December 2003 Israeli enemy forces fired a number of bursts of medium-sized machine gunfire from their position opposite Labuna in the direction of the area around the aforementioned position.

Between 1410 and 1650 hours enemy forces fired a number of bursts of medium-sized machine gunfire from their positions in Ramta and Samaqa inside the occupied Shab`a farmlands in the direction of the area around the two aforementioned positions.

At 0830 hours on 17 December 2003 Israeli enemy forces strafed the area around their position in Ruweisat al-Alam inside the occupied Shab`a farmlands with medium weapons fire.

At 1130 hours on 21 December 2003 Israeli forces fired a number of bursts of light weapons fire from their position opposite Ras al-Naqurah in the direction of the area around the said position. Between 1500 and 1645 hours enemy forces fired a number of bursts of light and medium weapons fire from their position in Radar inside the occupied Shab`a farmlands in the direction of the area around the said position.

At 1859 hours on the same date Israeli enemy forces fired a number of bursts of light and medium-sized machine gun rounds from their position in occupied Palestinian territory opposite Ras al-Naqurah in the direction of the area around the said position.

At 1230 hours on 22 December 2003 Israeli enemy forces strafed the area around their position in Fashkul inside the occupied Shab`a farmlands with a number of rounds from medium-sized machine guns.

Between 1010 and 1030 hours on 21 December 2003 an Israeli warplane overflew the occupied Shab`a farmlands at high altitude. Between 1620 and 1700 hours two Israeli helicopters overflew the aforementioned farmlands.

Between 1705 and 1715 hours on the same date two Israeli enemy helicopters overflew the area opposite the town of Kafr Killa, thereby violating Lebanese airspace.

Violations of territorial waters

At 2255 hours on 12 December 2003, in the open sea off Ras al-Naqurah, an Israeli military boat fired a number of rounds in the direction of the aforementioned waters.

At 1206 hours on 13 December 2003, in the open sea off Ras al-Naqurah, an Israeli military boat fired a number of bursts of medium weapons fire in the direction of the aforementioned waters.

At 1220 hours on 14 December 2003, in the open sea off Ras al-Naqurah, an Israeli military boat fired a number of bursts of medium weapons fire in the direction of the aforementioned waters. It later returned between 1855 and 2100 hours and fired two flare bombs over the aforementioned waters.

Between 1830 and 2200 hours on 15 December 2003, in the open sea off Ras al-Naqurah, an Israeli military boat fired three flare bombs over the aforementioned waters.

At 0635 hours on 20 December 2003, in the open sea off Ras al-Naqurah, an Israeli military boat fired a number of bursts of medium weapons fire over the aforementioned waters.

At 0844 hours on 21 December 2003, in the open sea off Ras al-Naqurah, an Israeli military boat fired a number of flare bombs. It returned and between 1940 and 2015 hours it fired a flare bomb and a number of bursts of medium weapons fire in the direction of the aforementioned waters.

At 0411 hours on 22 December 2003, in the open sea off Ras al-Naqurah, an Israeli military boat fired a flare bomb over the aforementioned waters.

These acts of aggression reaffirm Israel's hostile attitude, and the nature and number of these unjustified and inexcusable violations and acts of aggression confirm Israel's premeditated intention to threaten and provoke and to disrupt security and stability in order to serve its aggressive, expansionist objectives throughout the region.

The Mission of Lebanon, in drawing the attention of the Secretary-General of the United Nations to the gravity and possible consequences of such acts of aggression, requests to have his letter of complaint circulated as a document of the General Assembly, under agenda item 37, and of the Security Council.

(*Signed*) Houssam **Diab**
Chargé d'affaires a.i.

United Nations

S/2003/1221

Security Council

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Letter dated 31 December 2003 from the Deputy Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council

I have the honour to enclose the assessment by the Presidency of the United States of America of the work of the Security Council during October 2003 (see annex). This assessment has been prepared on our own authority, but we have consulted other members of the Council before submitting it.

I should be grateful if you would circulate the present letter and its annex as a document of the Security Council.

(*Signed*) James B. **Cunningham**
Ambassador
Deputy Permanent Representative

04-20440 (E) 150104

Annex to the letter dated 31 December 2003 from the Deputy Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council

Assessment by the Presidency of the United States of America of the work of the Security Council (October 2003)

Introduction

1. Under the Presidency of Ambassador John Negroponte, Permanent Representative of the United States of America to the United Nations, the Security Council engaged in a full programme of work during the month of October 2003. During the month, the Council met in in-depth consultations leading to the unanimous adoption of Council resolution 1511 (2003) in which the Council, inter alia, resolved that the United Nations should strengthen its vital role in Iraq, authorized a multinational force and urged Member States to contribute assistance to it, and invited the Governing Council of Iraq to provide a timetable and plan for the political process by 15 December 2003. The Council also met in extensive consultations to discuss the situation in the Middle East.

Anniversary of Security Council resolution 1325 (2000)

2. The Security Council held an open debate on Council resolution 1325 (2000) on women, peace and security, on 29 October 2003. The Under-Secretary-General for Peacekeeping Operations, Mr. Jean-Marie Guéhenno, briefed the Council on the efforts of the Department of Peacekeeping Operations of the United Nations Secretariat to implement the resolution. Ms. Amy Smythe, Senior Gender Adviser for the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) provided the Council with an operational perspective on the implementation of the resolution and spoke about lessons learned and remaining challenges. Member States acknowledged the important contributions that the Secretary-General's report (S/2002/1154) and the report of the independent Panel of Experts on the Illegal Exploration of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo (see S/2002/1146, annex) (both of October 2002) had provided towards efforts to advance implementation and indicated that they were looking forward to the presentation of the Secretary General's 2004 report.

Africa

Burundi

3. On 9 October 2003, Mr. Haile Menkerios, Director of the Africa I Division of the Department of Political Affairs of the United Nations Secretariat, briefed the Security Council on developments in Burundi. On 8 October, in Pretoria, Burundian President Ndayizeye and National Council for the Defense of Democracy-Forces for the Defence of Democracy (CNDD-FDD) leader Nkurunziza had signed a protocol providing for the integration of CNDD-FDD into the Government and the army.

Côte d'Ivoire

4. On 3 October, the Security Council was briefed by the Special Representative of the Secretary-General for Côte d'Ivoire, Mr. Albert Tévoédjrè, and discussed the worsening situation in Côte d'Ivoire. Council members expressed concern about the departure of the Forces nouvelles from the Government, the failure of the Government to pass certain key legislation, and the resistance of parties to commencing a programme of demobilization, disarmament and reintegration. The Council adopted a press statement (SC/7886-AFR/719) calling upon parties to implement the Linas-Marcoussis Agreement (S/2003/99) and take the steps necessary to ensure peace and stability in Côte d'Ivoire.

Liberia

5. On 9 October, the Security Council held its first discussion on the situation in Liberia following the deployment of the United Nations Mission in Liberia (UNMIL). Council members applauded the work of the Economic Community of West African States (ECOWAS) and the United Nations and welcomed the arrival of the Special Representative of the Secretary-General, Jacques Klein, and Force Commander General Daniel Opande (Kenya). They expressed optimism as Liberia turned a corner, as well as caution, given the violence that had marred the initial day in place of UNMIL and the difficulties that lay ahead. The Council adopted a press statement (SC/7890-AFR/725) calling for rapid commencement of demobilization, disarmament and reintegration and noting that Charles Taylor continued to play an unhelpful role from Nigeria.

Asia

Afghanistan

6. The Security Council voted unanimously on 13 October to authorize, via resolution 1510 (2003), the expansion of the International Security Assistance Force (ISAF), to allow it to support the Afghan Transitional Authority and its successors in the maintenance of security in areas of Afghanistan outside of Kabul and its environs. Council members applauded the early October decision taken by the North Atlantic Treaty Organization to carry out the expansion. Resolution 1510 (2003) also extended the mandate of ISAF until 12 October 2004. On 24 October, the Under-Secretary-General for Peacekeeping Operations, Mr. Jean-Marie Guéhenno briefed the Council on the situation in Afghanistan, focusing on the pressing security concerns as well as on United Nations programmes. Council members discussed the challenges ahead; many expressed hope that an expanded ISAF would help to combat the problems arising from the difficult security environment.

Iraq

7. The Security Council met in consultations four times to discuss Iraq, culminating in the unanimous passage on 16 October of resolution 1511 (2003), which, inter alia, resolved that the United Nations should strengthen its vital role in Iraq, authorized a multinational force and urged Member States to contribute assistance to it, and invited the Governing Council of Iraq to provide a timetable and plan for the political process by 15 December 2003.

Oil for Food

8. Mr. Benon Sevan, Executive Director of the Iraq Programme, briefed Security Council members on the plan of the United Nations for the oil-for-food transition on 28 October, in light of the recent withdrawal by the United Nations of international staff from Iraq.

UNIKOM

9. Without Security Council discussion, the mandate of the United Nations Iraq-Kuwait Observation Mission (UNIKOM) ended on 6 October 2003 in accordance with Council resolution 1490 (2003) of 3 July 2003. The Secretary-General released his final report (S/2003/933) dated 2 October 2003 detailing the activities of the mission from 16 June to 1 October 2003.

Middle East

10. On 5 October, the Syrian Arab Republic requested an urgent meeting of the Security Council to consider the 5 October Israeli air strike directed against the Syrian Arab Republic. The Council held an open debate on the Israeli air strike during which 35 delegations took the floor on the matter. The Syrian Arab Republic introduced a draft resolution (S/2003/945) for the consideration of Council members. Many delegations requested time to consult with their capitals for instructions on the draft resolution.

11. On 9 October, under "Other matters", a draft resolution on the Israeli wall/fence was circulated on behalf of co-sponsors by the Syrian Arab Republic. Consultations to discuss the draft were held on 10 October. On 14 October, the Security Council held an open debate to consider the decision by the Israeli Government to start the second phase of building the Israeli wall/fence. Many delegations took the floor on the matter. After the public meeting, Council members held further informal consultations on the draft resolution. The resolution was put to a vote by its sponsors on 14 October, but was not adopted because of the negative vote of a permanent member.

12. On 21 October, the Security Council held its monthly open briefing on the Middle East. Under-Secretary-General for Political Affairs Mr. Kieran Prendergast briefed the Council on the latest developments. Afterwards, the Council continued its discussion of the issue in informal consultations.

13. On 30 October, the Security Council held informal consultations on a draft resolution, introduced by the Russian Federation, endorsing the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict (S/2003/529, annex). Council members agreed to discuss the draft resolution in November.

MINURSO

14. On 27 October, the Under-Secretary-General for Peacekeeping Operations, Mr. Jean-Marie Guéhenno, reviewed the Secretary-General's report on Western Sahara dated 16 October (S/2003/1016). He updated the Security Council on the downsizing of the United Nations Mission for the Referendum in Western Sahara (MINURSO) and progress towards implementation of Office of the United Nations High Commission for Refugees (UNHCR) confidence-building measures. He

highlighted the need for the release of more prisoners of war and the urgent refugee food requirements in the Tindouf refugee camps. The Council decided to extend the mandate of MINURSO until 31 January 2004.

Europe

Bosnia and Herzegovina

15. On 8 October, the High Representative in Bosnia and Herzegovina, Lord Paddy Ashdown, briefed the Security Council on developments in Bosnia and Herzegovina. He was joined by the President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, Judge Theodor Meron, who provided an update on efforts to establish a war crimes chamber within the State Court of Bosnia and Herzegovina. Lord Ashdown described recent progress in implementing reforms in Bosnia and Herzegovina. Both Lord Ashdown and Judge Meron appealed for international donor support for the creation of the war crimes chamber in Bosnia and Herzegovina to try cases transferred from the International Criminal Tribunal for the Former Yugoslavia.

Kosovo/Serbia and Montenegro

16. On 30 October, the Security Council was briefed by the Special Representative of the Secretary-General for Kosovo, Mr. Harri Holkeri, in his first appearance before the Council since taking up his duties in August. He updated the Council on his efforts to further the direct dialogue between Belgrade and Pristina and end ethnically motivated violence. Members of the Council supported the direct dialogue, called for full participation of the parties in the dialogue and condemned incidents of violence in Kosovo.

Other Issues

International Criminal Tribunal for the Former Yugoslavia and International Criminal Tribunal for Rwanda

17. On 10 October, the Presidents and Chief Prosecutors of the International Criminal Tribunal for the Former Yugoslavia and the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 appeared before the Security Council to deliver their yearly reports. The President of the International Criminal Tribunal for the Former Yugoslavia, Judge Theodor Meron, and the President of the International Criminal Tribunal for Rwanda, Erik Møse, updated the Council on the Tribunals' work and progress in implementing the Tribunals' completion strategies. International Criminal Tribunal for the Former Yugoslavia Chief Prosecutor Carla del Ponte and International Criminal Tribunal for Rwanda Chief Prosecutor Hassan Jallow outlined their plans to implement the Tribunals' completion strategies and outlined possible obstacles.

18. The Security Council adopted resolution 1512 (2003) on 27 October which enhanced the powers of ad litem judges in the International Criminal Tribunal for Rwanda so that, during the appointment to a trial, they might also adjudicate in pre-trial proceedings in other cases, should the need arise and should they be in a position to do so, and increased the number of ad litem judges that might be appointed at any one time to serve in the Trial Chambers of the International Criminal Tribunal for Rwanda to nine.

19. The Security Council adopted a presidential statement (S/PRST/2003/18) on 27 October confirming "that it is within the lawful powers of the International Tribunal for Rwanda under its Statute to fund the renovation and refurbishment of prison facilities in States that have concluded agreements with the United Nations for the carrying out of prison sentences of the Tribunal". The Council went on to state that "(s)uch funds shall be used to bring up to international minimum standards the prison accommodation to be occupied or used pursuant to those agreements".

Counter-terrorism Committee

20. The Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (Spain) presented the 90-day report of the Committee and its programme of work for October-December 2003 (S/2003/995, annex) at a public meeting on 16 October. The Chairman reported that by 30 September, the Committee had received first reports from all 191 Member States and 5 from others, 150 second reports from Member States and 2 from others, and 71 third reports from Member States. The Chairman informed the Security Council that 48 States had been late in submitting their reports and that he would submit a list of late submitters to the Council. The Chairman further reported that the Committee continued to emphasize coordination, transparency and equality of treatment in its work. It was still working to ensure that the Committee took an increasingly active approach to facilitating the provision of technical assistance to those States identified as needing help implementing the provisions of resolution 1373 (2001).

Reports of the United Nations Principal Organs

21. In his capacity as Security Council President, Ambassador Negroponte represented the Council at the Secretary General's meeting of the Heads of the Principal Organs of the United Nations, drawing from the Council's annual report to the General Assembly (A/58/2). The Presidents of the other Principal Organs presented reports on their respective organizations as well.